

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : **CRIMINAL NO. 1:12-CR-126**  
:   
v. : (Judge Stengel)  
:   
CHARLES MILLER : (Magistrate Judge Smyser)

**REPORT AND RECOMMENDATION**

The defendant appeared before me on July 17, 2012 and entered a plea of guilty to the Felony Information. The court conducted a full colloquy with the defendant and has determined the following:

1. That the defendant is competent to enter a knowing and voluntary plea;
2. That the defendant understands the charge and the penalties; understands his trial rights, and does knowingly waive his right to trial;
3. That the plea of guilty is a voluntary plea and that the plea agreement contains the only promises made to the defendant; and
4. That the plea is supported by an independent basis in fact as to each of the essential elements of the offense.

On the basis of the foregoing, it is recommended that the court enter an Order adjudging the defendant guilty of the offense. By a separate Order, a presentence investigation was ordered. Disclosure of the presentence report to the parties is to be made on or before September 10, 2012.

/s/ J. Andrew Smyser  
J. Andrew Smyser  
Magistrate Judge

Dated: July 19, 2012.